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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/890,273	08/09/2001	Makoto Nojima	042203	3277
38834 7590 10/08/2008 WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 CONNECTICUT AVENUE, NW SUITE 700 WASHINGTON, DC 20036				
EXAMINER SURYAWANSHI, SURESH				
ART UNIT 2115		PAPER NUMBER		
MAIL DATE 10/08/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

09/890,273

Applicant(s)

NOJIMA, MAKOTO

Examiner

SURESH K. SURYAWANSHI

Art Unit

2115

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/8/08 amendments.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3, 4 and 6-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3 and 4 is/are allowed.
- 6) ☒ Claim(s) 9-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C2)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 3-4 and 6-14 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 9-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Koo (US Patent 6,006,337).
4. As per claim 9, Koo discloses the multimedia device, characterized by comprising a reproducer for reading out information from a storage medium [Fig. 1; col. 4, lines 49-57; a compact disk drive], an output circuit capable of outputting at least an audio signal on the basis of information read out of said reproducer [Fig. 1; col. 4, lines 49-57; an audio circuit and speakers], a monitoring circuit for monitoring the reproduction output state of said reproducer [col. 6, lines 16-30; keypad works as a monitoring circuit], and a controller receiving a signal representing the operating state of said switch and a signal outputted by said monitoring circuit for controlling the supply of driving power to said reproducer and said output circuit on the basis of the two signals [col. 6, lines 16-30; the microcontroller controls power to the reproducer based on the two signals one from the keypad and another PMS-control signal].

5. As per claim 10, Koo discloses a multimedia electronic device, characterized by comprising a reproducer for reading out information from a storage medium [Fig. 1; col. 4, lines 49-57; a compact disk drive], a switch for operating said reproducer [col. 6, lines 16-30; keypad], an output circuit capable of outputting at least an audio signal on the basis of the information read out of said reproducer [Fig. 1; col. 4, lines 49-57; an audio circuit and speakers], a monitoring circuit for monitoring the reproduction output state of said reproducer [col. 6, lines 16-30; keypad works as a monitoring circuit], and a controller receiving a signal representing the operating state of said switch and a signal outputted by said monitoring circuit for controlling the supply of driving power to said reproducer, said output circuit, and said monitoring circuit on the basis of the two signals [col. 6, lines 16-30; the microcontroller controls power to the reproducer based on the two signals one from the keypad and another PMS-control signal].

6. As per claim 11, Koo discloses a multimedia electronic device, characterized by comprising a reproducer for reading out information from a storage medium [Fig. 1; col. 4, lines 49-57; a compact disk drive], and a controller receiving a signal outputted by said monitoring circuit for controlling the supply of driving power to said reproducer on the basis of the signal [col. 6, lines 16-30; the microcontroller controls power to the reproducer based on the two signals one from the keypad and another PMS-control signal].

7. As per claim 12, Koo discloses a multimedia electronic device, characterized by comprising a reproducer for reading out information from a storage medium [Fig. 1; col. 4, lines 49-57; a compact disk drive], and a controller receiving a signal outputted by said monitoring circuit for controlling the supply of driving power to said reproducer and said monitoring circuit on the basis of the signal [col. 6, lines 16-30; the microcontroller controls power to the reproducer based on the two signals one from the keypad and another PMS-control signal].

8. As per claim 13, Koo discloses that said controller stops the supply of the driving power to a predetermined circuit when said monitoring circuit detects that a reproduction output of said reproducer does not exist in a predetermined time period [col. 5, lines 17-46; col. 6, lines 16-30; inherent to the system].

9. As per claim 14, Koo discloses that said reproducer is a CD-ROM drive [Fig. 1; col. 4, lines 49-57; a compact disk drive].

Allowable Subject Matter

10. Claims 3-4 and 6-8 allowed.

Response to Arguments

11. Applicant's arguments with respect to claims 9-14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SURESH K. SURYAWANSHI whose telephone number is (571)272-3668. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Suresh K Suryawanshi/
Primary Examiner, Art Unit 2115